

1 Channel 45?

2 A. What do you mean by that?

3 Q. You never sat down and said Channel 45  
4 devoted so many minutes or so many hours to a  
5 particular program on such and such a day?

6 A. No.

7 Q. You never kept anything like a diary  
8 regarding Channel 45?

9 A. No.

10 Q. You never made any notes as a memorandum to  
11 yourself regarding Channel 45 programming?

12 A. No. I have relied on my memory.

13 Q. You have relied on your memory?

14 A. That's correct.

15 Q. When did you first see any of the documents  
16 in the category of Illustrative Programming on  
17 Channel 45 such as those that have been provided to  
18 us by Mr. Honig?

19 A. I think I saw some of those around a year,  
20 year and a half ago, two years ago when the lawsuit  
21 was filed and I saw them again when I was provided  
22 with this pile of resumes.

23 Q. Who provided them to you?

24 A. Mr. Honig.

25 Q. Did they provide them to you by mail or

1 hand them to you in person?

2 A. I think most of them have been provided to  
3 me by mail. Some of them have been provided to me in  
4 person.

5 Q. Have you ever talked to a man named Tyrone  
6 Shanks?

7 A. Yes.

8 Q. Do you know that Mr. Shanks was a colleague  
9 of Mr. Honig and assisted him in this proceeding?

10 A. He was a law clerk.

11 Q. In Miami or in Washington?

12 A. As far as I know, here in Miami.

13 Q. Did you ever meet Mr. Shanks?

14 A. I think he came once to my office.

15 Q. Did he ever provide you any of the  
16 documents that constitute the Illustrative Program  
17 List?

18 A. No. I don't think he provided me with  
19 list. I think Mr. Honig did that.

20 Q. Who obtained the Illustrative Program Lists  
21 from Channel 45?

22 A. I don't know. I can't tell you. I suppose  
23 Mr. Honig did.

24 Q. But you don't know?

25 A. No.

1 Q. But you know you obtained them from  
2 Mr. Honig?

3 A. Yes.

4 Q. Is SALAD a corporation?

5 A. Non-profit corporation.

6 Q. Incorporated in the State of Florida?

7 A. Yes.

8 Q. You have described yourself as?

9 A. The chairman.

10 Q. As the chairman of the board of directors,  
11 is that correct?

12 A. Yeah.

13 Q. Does SALAD have stockholders?

14 A. No. Members of the board -- We have a  
15 board of directors and the members of SALAD.

16 Q. How does one become a member of SALAD?

17 A. Applying.

18 Q. How many members of SALAD are there?

19 A. It could vary from 300 to 1,000. We have a  
20 problem at this point which is from the previous  
21 executive director that we had. We are not able to  
22 locate the list of the membership of SALAD and we are  
23 trying to reconstruct it because we are trying to  
24 build the members of SALAD which are the supports of  
25 the organization.

1 Q. How does one become a member?

2 A. Applying.

3 Q. Paying dues?

4 A. Normally, they pay dues. I think it's \$30  
5 or \$45.

6 Q. How many members of SALAD are there who are  
7 current with their dues as of this moment?

8 A. I couldn't tell you exactly, but I suppose  
9 that's probably around 50 members.

10 Q. Around 50?

11 A. Around 50 to 100.

12 Q. Which is it, 50 or 100?

13 A. 50 to 100, I could not tell you. We have a  
14 problem, as I told you, not only with the membership  
15 that somehow it has been misplaced, but we have a  
16 problem also with the previous executive director of  
17 who were the members that paid and didn't pay.

18 Q. Who was the executive director that you  
19 refer to?

20 A. The previous one, her name was, Illian  
21 Lopez.

22 Q. And where is she located, sir?

23 A. She lives in Miami Beach. I cannot tell  
24 you exactly where, but I could provide you if you  
25 request that.

1 Q. Would you provide to Miss Robinson your  
2 best information as to her address and telephone  
3 number?

4 A. Yes, yes.

5 Q. She is no longer associated with SALAD?

6 A. She is associated with SALAD.

7 Q. She is what?

8 A. She is associated with SALAD. She was  
9 elected to the board of directors two or three  
10 meetings - months ago at one of the meetings of the  
11 board of the directors.

12 Q. How many directors are there?

13 A. I'm guessing around 30.

14 Q. 30 directors?

15 A. Uh-huh.

16 Q. And when was the last election to the board  
17 of directors?

18 A. If my recollection is correct, last year.

19 Q. How many people voted in that election?

20 A. I don't remember.

21 Q. Is there a public --

22 A. It was a nominating committee that presided  
23 over the elections.

24 Q. Who are the present officers of SALAD?

25 A. There are four vice chairs.

1 Q. Four vice chairs?

2 A. Uh-huh.

3 Q. Go ahead.

4 A. First one Luisa Garcia Toledo, state  
5 representative Miguel DeGrandy, Toni Marin and Oscar  
6 Baisman.

7 Q. Are those all of the officers plus  
8 yourself?

9 A. There is a treasurer.

10 Q. Who is who?

11 A. Eugenio Sanson

12 Q. Is there a secretary?

13 A. Yes.

14 Q. Who is that?

15 A. Ophelia Parajon.

16 Q. Do we now have all of the officers, that is  
17 yourself, four vice chairmen, a treasurer and a  
18 secretary?

19 A. As far as I remember.

20 Q. When was the last time the board of  
21 directors met?

22 A. Last week Tuesday.

23 Q. And does the board directors --

24 A. A week ago today, just one week ago.

25 Q. And does the board meet regularly?

1           A.     Once a month.

2           Q.     How many attended the last meeting?

3           A.     I'm guessing around - from 15 to 20

4 members.

5           Q.     Say again.

6           A.     15 to 20 members.

7           Q.     And where are the offices of SALAD?

8           A.     800 Southwest 1st Street.

9           Q.     Is that an individual residence?

10          A.     No.

11          Q.     That's an office?

12          A.     That's an office building of the City of

13 Miami.

14          Q.     It's an office building in the city or --

15          A.     It belongs to the -- It's my understanding

16 that it belongs to the City of Miami.

17          Q.     And the City of Miami provides office space

18 to SALAD?

19          A.     Rents office space to SALAD.

20          Q.     Is there a person --

21          A.     We pay \$1 a year.

22          Q.     Does Florida law require a person to be

23 identified as the registered agent of SALAD?

24          A.     It is my understanding that I am the

25 registered agent of SALAD.

1 Q. Where is the registered address of SALAD,  
2 is that the 800 Southwest 1st Street?

3 A. Yes. I don't know at this point if it's  
4 800 or 801.

5 Q. And the election of the present board of  
6 directors occurred - would you tell me again when?

7 A. If my recollection is correct, it was last  
8 year in October.

9 Q. Have elections to the board of directors  
10 been regularly held each and every October?

11 A. I think it takes place ever two years.

12 Q. Every two years?

13 A. Yeah.

14 Q. Is SALAD qualified as an organization to  
15 which tax contributions may be made or does it not  
16 seek that because it influences legislation?

17 A. It is my understanding that we had an untax  
18 status. I would not be in the position to tell you  
19 do we remain to have that untax status, but SALAD  
20 does not receive any money from any governmental  
21 agency with the exception of the rental that we pay  
22 to the City of Miami which is only \$1.

23 Q. And SALAD's principle activity in recent  
24 years has been directed to what is sometimes called  
25 or is sometimes called the English Only Ordinance in



1 Miami or Dade County?

2 A. That's one of the main activities, not the  
3 only one.

4 Q. Help me with proper terminology. Was that  
5 the ordinance of the county or the city?

6 A. The county.

7 Q. An ordinance of the county?

8 A. Right.

9 Q. When was that ordinance passed?

10 A. It was part of a referendum that took place  
11 in - I think it was 1982.

12 Q. In 1982, and when was that ordinance  
13 repealed?

14 A. I think it was around four month, five  
15 month ago.

16 Q. And it was repealed by referendum or vote  
17 of a county counsel or how?

18 A. By unanimous vote of the County Commission.

19 Q. Of the County Commissioners?

20 A. Right.

21 Q. Go back to 1982, the ordinance passed by  
22 referendum, is that correct?

23 A. That's correct.

24 Q. What was the percentage of the vote, if you  
25 can give it to me if you can recall it, those in

1 favor of the ordinance and those opposed to it?

2 A. I don't remember exactly and I was the  
3 chairman of SALAD that year.

4 Q. Was the vote in favor of the ordinance more  
5 than sixty percent in 1982?

6 A. I don't remember the percentage, but I  
7 don't think so. Could be.

8 Q. It was certainly more than fifty percent?

9 A. That's correct.

10 Q. That we're sure of.

11 And SALAD disapproved the ordinance and  
12 worked for its repeal, is that correct?

13 A. That's correct.

14 Q. And that matter was a controversial issue  
15 in Dade County, was it not?

16 A. Yes.

17 Q. Are you aware of any polls published in the  
18 newspapers in Dade County prior to the moment of  
19 repeal indicating popular support for your position  
20 or popular support opposed to your position? What  
21 were the polls showing?

22 A. We never took any polls.

23 Q. What did you say?

24 A. We never took any polls.

25 You mean before it was repealed four or

1 five months ago?

2 Q. Yes.

3 A. No polls were taken.

4 Q. The Miami Herald never reported a poll?

5 A. Not that I remember.

6 Q. No poll was ever reported on any television  
7 station in Miami?

8 A. Not that I remember. The last poll was  
9 taken was around three years ago when the Amendment  
10 11 to the constitution was passed in the State of  
11 Florida.

12 Q. What was Amendment 11?

13 A. Amendment 11 was learning English, the  
14 official language of the State of Florida.

15 Q. Did that amendment pass?

16 A. Yes. The State passed.

17 Q. And that was passed by popular vote  
18 throughout the entire state?

19 A. Throughout the entire state.

20 Q. How did Dade County vote?

21 A. I don't remember exactly the numbers, but I  
22 think it was almost 50/50.

23 Q. So it was a controversial issue --

24 A. No doubt.

25 Q. -- in Dade County? Prior to the revocation

1 by the County Commissioners four or five months ago,  
2 was the matter voted on before that in the County  
3 Commission?

4 A. Not that I know.

5 Q. Not that you know of.

6 What is the status of Article 11 or  
7 Amendment 11 of the Florida constitution?

8 A. Amendment 11.

9 Q. What does Amendment 11 say now?

10 A. It says simply that English is the official  
11 language of the State of Florida.

12 Q. Is SALAD actively engaged in attempting to  
13 get a repeal of that amendment?

14 A. No. We have never questioned that the  
15 English is an official language of the State of  
16 Florida.

17 Q. What you objected to is an English Only  
18 Ordinance in Dade County?

19 A. We objected due to the fact that it caused  
20 a lot of harm to Dade County and South Florida.

21 Q. You have referred in your Declaration to  
22 twelve television stations in Dade County or in the  
23 Miami market indicating that not one is Hispanic  
24 owned. How did you come by that fact? What did you  
25 do to check whether that was true or not?

1 A. Which one, excuse me?

2 Q. Would you look at your statement, please.  
3 I call your attention to the paragraph numbered 2.

4 A. 2, okay.

5 Q. To the second sentence, the end of that  
6 sentence which says, "not one of our twelve  
7 television stations is Hispanic owned." What is your  
8 basis for that statement?

9 A. Okay. My knowledge of these stations at  
10 the time that I made the statement.

11 Q. Well, the time you made that statement was  
12 on August 10 of 1993, that's correct, is it not?  
13 Will you check the date?

14 A. That's correct, 8-10-93.

15 Q. Do you now know that as of that time there  
16 was, in fact, a television station licensed to the  
17 City of Miami on Channel 35 with call letters WDLF  
18 owned by William de LaPina, a Hispanic person, or are  
19 you hearing that for the first time?

20 A. I am hearing that name for the -- Let me  
21 say --

22 Q. I will not cut you off. I just want to  
23 know are you now aware of the fact that Dr. de LaPina  
24 is the owner of a television station in Miami?

25 A. I was trying to say that around two or

1 three months ago, one of the attorneys who has  
2 represented SALAD in front of the FCC, his name is  
3 Rob Thompson from Washington, D.C. informed me that  
4 he was representing somebody who had - was in the  
5 process of buying - had bought a TV station. I have  
6 never met Dr. de LaPina and that all the information  
7 I have from Mr. Thompson.

8 Q. Mr. Thompson told you he had a client, Dr.  
9 de LaPina, and that Dr. de LaPina acquired Channel  
10 35, is that correct?

11 A. Was in the process or I don't remember  
12 exactly.

13 Q. Didn't the conversation with Mr. Robert  
14 Thompson occur prior to August 10, 1993?

15 A. I don't think so.

16 Q. Occurred sometime within the last month?

17 A. I think within all probability it happened.

18 Q. Isn't it a fact that Dr. de LaPina has been  
19 the owner of Channel 35 for more than three months  
20 now?

21 A. I cannot tell you.

22 Q. When did you last talk to Mr. Robert  
23 Thompson?

24 A. I think he called me about three, four  
25 weeks ago. I talk to Mr. Thompson particularly. We

1 are good friends. He comes down to play golf in  
2 South Florida and when he comes here, he calls me.

3 Q. What do you think of his taste in wines?

4 A. I think he is a great guy and he has a very  
5 good taste.

6 Q. And you know that is he attorney for  
7 Dr. de LaPina?

8 A. He told me.

9 Q. In Miami, Channel 23, WLTW broadcasts in  
10 the Spanish language, does it not?

11 A. Channel 23, yes, it does.

12 Q. Also Channel 51, WSCV, broadcasts in the  
13 Spanish language?

14 A. It does.

15 Q. Do any of the other stations to which you  
16 have referenced in your exhibit present any  
17 programming at all in Spanish?

18 A. Not what I call the big stations.

19 Q. What do you mean by big stations? You mean  
20 the network affiliates?

21 A. The networks and the big channel stations.

22 Q. Does Channel 33?

23 A. The big cable stations, I'm sorry.

24 Q. Let's not talk about cable right now.

25 Does Channel 33, WBFS, I believe present

1 any programming at all in Spanish that you know of?

2 A. The channel that I know of, 33 in my dial,  
3 in my TV is, I think, 11 and I have never heard  
4 anything in Spanish on Channel 11.

5 Q. How about Channel 6 which is a network  
6 affiliate, do you ever hear the Spanish language on  
7 Channel 6 news broadcast of any sort?

8 A. Channel 6 I have is CBS and I have never  
9 heard anything in Spanish on Channel 6.

10 Q. Never a news broadcast on Channel 6?

11 A. No. I think the only thing that I heard in  
12 Spanish is the name of some of the reporters.

13 Q. What about Channel 39, WDZL, does it  
14 broadcast any programs at all in Spanish?

15 A. 39 - I have dynamic cable and 39 is the  
16 sport channel.

17 Q. 39 is what?

18 A. The sport channel.

19 Q. I'm interested in the television station  
20 that operates on television as Channel 39 with call  
21 letters WDZL.

22 A. I don't know that channel.

23 Q. What about Channel 10, which is a network  
24 affiliate, do you ever hear any Spanish on 10?

25 A. On ABC, no, I have not.



1 Q. What about Channel 7?

2 A. No.

3 Q. Channel 4?

4 A. With the exception of the names of the  
5 persons who are involved in recording for those  
6 channels or the anchor persons for channel -- His  
7 name is Rick Sanchez, but I never heard on 7, 6, 4 or  
8 10 anything in Spanish, any program in Spanish.

9 Q. What about the educational channels 17 and  
10 2, any Spanish on those?

11 A. I never heard anything in Spanish on those  
12 programs.

13 Q. You watch Channel 17?

14 A. If that is the educational channel that  
15 belongs to the Dade County system, yes, I have seen  
16 it many times.

17 Q. Never heard Spanish?

18 A. Never seen anything in Spanish.

19 Q. Are there cable channels other than --

20 A. Excuse me, excuse me. I think there is a  
21 program in Spanish in the channel that belongs to the  
22 school system.

23 Q. That is Channel 17?

24 A. I think it's 17, that's correct. But it's  
25 not 17 at my home. At my home I think it's called

1 33. 33 or 34, I'm not sure.

2 Q. What about cable channels that are not  
3 broadcast stations, any Spanish language cable  
4 channels?

5 A. I think there is a channel called - I don't  
6 know. I'm not sure about it, but I think it's called  
7 HIT TV, H-I-T TV and I have heard that one in  
8 Spanish.

9 Q. Do you ever hear any English on Channel 23?

10 A. No.

11 Q. No?

12 A. Not that I know of. Excuse me. Yes, I  
13 hear English because sometimes they make interviews  
14 of people and they, you know, the people do not speak  
15 Spanish, they answer in English and there's always  
16 somebody who translates in Spanish.

17 Q. Do you ever hear any English as you just  
18 described on Channel 51?

19 A. The same thing would apply as in Channel  
20 23.

21 Q. Have you had any conversations about  
22 Channel 45 or Trinity or WHFT with Mr. Louis Cohen?

23 A. Mr. Louis Cohen?

24 Q. Yes.

25 A. No. I don't know.

1 Who is Louis Cohen, by the way?

2 Q. Have you had any conversations with  
3 Mr. Gardener from Glendale Broadcasting?

4 A. No.

5 Q. Do you know anything about Glendale  
6 Broadcasting other than its name appears in this  
7 case?

8 A. No.

9 Q. Has anyone told you that Glendale has filed  
10 an application for Channel 45 and is opposing Trinity  
11 in this proceeding?

12 A. I think Mr. Honig --

13 Q. Mr. Honig told you what?

14 A. Can I discuss the --

15 MR. MULLIN: Off the record.

16 (Thereupon, a discussion was held off the  
17 record.)

18 Q. (By Mr. Honig) My question is, has  
19 Mr. Honig told you how Glendale became to be an  
20 applicant in this proceeding?

21 A. He told me there was somebody and it  
22 probably was Glendale, I don't remember exactly, that  
23 was applying for the, what you call that, Channel 45.  
24 You have a term that I don't remember at this point  
25 for that.

1 Q. Has he told you whether he played any role  
2 whatsoever in the matter of Glendale's applying for  
3 Channel 45.

4 MS. ROBINSON: Objection, privileged.

5 Q. My question is, has Mr. Honig told you that  
6 he played any role whatsoever in Channel 45 - in  
7 Glendale's application for Channel 45?

8 MS. ROBINSON: Objection, privileged.

9 THE WITNESS: You instruct me not to answer  
10 or do you want me to answer?

11 MS. ROBINSON: Go ahead.

12 A. No, he hasn't told me anything about any  
13 relation between him and Glendale.

14 Q. Do you know as you sit here today how  
15 Glendale's application came to be filed?

16 A. I don't have the slightest idea.

17 Q. No one's told you?

18 A. No.

19 Q. Who is Victor Gallegos?

20 A. I don't know.

21 Q. Have I got the wrong name or wasn't there a  
22 Mr. Gallegos, Mark Gallegos?

23 A. Yes, he's next-door.

24 Q. Next-door where?

25 A. Here on your floor.

1 Q. In this building?

2 A. Okay.

3 Q. Is he a member of the SALAD board?

4 A. He used to be a member. He used to  
5 be -- There was a short time that we had a president  
6 and a vice-president and I think Mark was the - at  
7 that time, the vice president of SALAD.

8 Q. When did he cease to be an officer of  
9 SALAD?

10 A. I'm guessing, but I suppose it was around  
11 three years ago. Three, four years ago.

12 Q. Do you maintain contact with Mr. Gallegos?

13 A. I see Mark three, four times a year.

14 Q. Is he any longer active in SALAD?

15 A. I think he's still a member of SALAD, but I  
16 think he's a paying member of SALAD, but I couldn't  
17 tell you for sure.

18 Q. In Paragraph 4, you refer to an occasion in  
19 1987 when Mark Gallegos appeared on a panel on  
20 Channel 45 discussing "English only" requirements of  
21 local government. Did you hear that program or see  
22 that program?

23 A. I think at that time, and this is if my  
24 recollection is correct, this is the time of  
25 Amendment 11, we had chosen several persons to go to

1 different programs to discuss the Amendment 11.

2 If my recollection is correct, Mark was on  
3 behalf of SALAD at that time to speak on the English  
4 Only amendment.

5 Q. My question was, did you see that program,  
6 you, yourself, Mr. Soto?

7 A. That I couldn't tell you.

8 Q. Do you have any recollection of having seen  
9 it?

10 A. In all probability because of my  
11 involvement, I practically abandoned my practice of  
12 law during five months and I would dedicate all my  
13 time to fight Amendment 11.

14 Q. My question is --

15 A. In all probability, what I'm saying is that  
16 I saw it. I could not tell you exactly that I saw  
17 it.

18 Q. You have no recollection as you sit here  
19 today of having seen that program?

20 A. I have recollection of seeing Mr. Gallegos  
21 in several programs.

22 Q. But you don't have a recollection of -- You  
23 can't be specific about seeing him on Channel 45?

24 A. I think I did, but I couldn't tell you for  
25 sure.

1 Q. Well, what do you base the statement that  
2 is the first sentence in Paragraph 4 that in 1987 he  
3 appeared as one of a panel of four persons discussing  
4 English Only on Channel 45. What do you base that  
5 on?

6 A. In my discussions with Mr. Honig, I refer  
7 that in my opinion the involvement of Channel 45  
8 regarding Hispanic issues was practically nil and we  
9 got involved to the problems that have been  
10 very - you know, that have been hot in this community  
11 and one of which was the Amendment 11.

12 I told him that I think that was the first  
13 time that I realize that Channel 45 was part of  
14 the - of the channels that we had here in Miami. It  
15 came during the conversation that Trinity had this  
16 problem regarding the English Only issue and the  
17 person who attended more problems at that time was  
18 Mark.

19 If my recollection is correct, the two main  
20 persons who went to all these problems was Mark and  
21 Osvaldo Soto, myself. I went to the majority of the  
22 TV and radio programs in Spanish with few exceptions.  
23 Mark went practically to all the programs in English.  
24 His accent -- He doesn't have an accent or  
25 practically doesn't have an accent. I do have an

1    accent and not having an accent, I try to avoid going  
2    to any program where my accent would hurt my message,  
3    that message that I was trying to convey.

4            Q.    Was it Mr. Honig that told you before you  
5    signed this statement that Mark appeared on Channel  
6    45 in 1987? Did that information come from  
7    Mr. Honig?

8            A.    That information came out of my  
9    conversation with Mr. Honig.

10          Q.    Well, now, came out of your conversation,  
11    the only participants in the conversation were Soto  
12    and Honig?

13          A.    Right.

14          Q.    Now, did Soto tell Honig or did Honig tell  
15    Soto?

16          A.    I couldn't tell you, but I told him that  
17    the persons that were involved in that time and it's  
18    very simple were Gallegos and Soto and if it was in  
19    English, the conclusion had to be that it was  
20    Gallegos.

21          Q.    So you're not sure whether Mr. Honig told  
22    you or you told him?

23          A.    I couldn't tell you.

24          Q.    Have you seen anything in writing  
25    indicating that Mr. Gallegos appeared on that program



1 on Channel 45?

2 A. No. Right now I have not seen anything.

3 Q. How do you know that there were a total of  
4 four persons on the panel in that program? How did  
5 you learn that?

6 A. Because that was part of the conversation  
7 with Mr. Honig.

8 Q. Either you told Honig or Honig told you?

9 A. That's correct.

10 Q. And you didn't have any information, did  
11 you, prior to that conversation that there were four  
12 panel participants?

13 A. I think that information probably came from  
14 Mr. Honig, but I could not tell you. I don't  
15 remember exactly, but I know that we stated very  
16 clearly what I was doing and what Mark was doing.

17 Q. You also state that Mark was the only  
18 opponent of English Only on the panel on this issue.  
19 Is the basis for that something that Mr. Honig told  
20 you?

21 A. Unfortunately, practically in all cases in  
22 English we only had one person taking the position of  
23 opposing Amendment 11, not only in this program, but  
24 practically in all TV stations where we had debates  
25 and one of the cases that we discuss was, and at that